

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

LOUISIANA MUNICIPAL POLICE  
EMPLOYEES' RETIREMENT SYSTEM, on  
behalf of itself and all other similarly situated  
shareholders of Medco Health Solutions, Inc.,

Plaintiff,

v.

MEDCO HEALTH SOLUTIONS, INC., *et al.*,

Defendants.

Civil Action No. 11-4211(DMC)

**ORDER**

RENA NADOFF, on behalf of herself and all  
others similarly situated,

Plaintiff,

v.

MEDCO HEALTH SOLUTIONS, INC., *et al.*,

Defendants.

Civil Action No. 11-4248(DMC)

PUERTO RICO GOVERNMENT EMPLOYEES  
AND JUDICIARY RETIREMENT SYSTEM  
ADMINISTRATION, on behalf of itself and all  
others similarly situated,

Plaintiff,

v.

MEDCO HEALTH SOLUTIONS, INC., *et al.*,

Defendants.

Civil Action No. 11-4259(DMC)

S. LEONARD SOLLINS, PERSONAL  
REPRESENTATIVE OF THE ESTATE OF  
MIRIAM LOVEMAN, Individually and on behalf  
of all others similarly situated

Plaintiff,

v.

MEDCO HEALTH SOLUTIONS INC., *et al.*,

Defendants.

Civil Action No. 11-4307(DMC)

OPPENHEIM  
KAPITALANLAGEGESELLSCHAFT mbH, on  
behalf of itself and all others similarly situated,

Plaintiff,

v.

MEDCO HEALTH SOLUTIONS, INC., *et al.*,

Defendants.

Civil Action No. 11-4322(DMC);

UNITED FOOD AND COMMERCIAL  
WORKERS LOCAL 23 AND EMPLOYERS  
PENSION FUND, on behalf of itself and all others  
similarly situated,

Plaintiff,

v.

MEDCO HEALTH SOLUTIONS, INC., *et al.*

Defendants.

Civil Action No. 11-4328(DMC)

INTERNATIONAL UNION OF OPERATING  
ENGINEERS LOCAL 132 PENSION FUND,  
on behalf of itself and all other similarly  
situated shareholders of Medco Health  
Solutions, Inc.,

Plaintiff,

Civil Action No. 11-4412(DMC)

v.

MEDCO HEALTH SOLUTIONS, INC., , *et al.*

Defendants.

THIS MATTER having been opened to the Court by Carella, Byrne, Cecchi, Olstein, Brody & Agnello, Grant & Eisenhofer P.A. and Bernstein Litowitz Berger & Grossmann LLP, co-counsel for Plaintiffs Louisiana Municipal Police Employees' Retirement System and International Union Of Operating Engineers Local 132 Pension Fund, and counsel for all other Plaintiffs consenting hereto and on notice for counsel for Defendants, and good cause appearing,

IT IS THIS                      day of August, 2011

ORDERED as follows:

1. All of the above-captioned actions are hereby consolidated for discovery and trial under Civil Action No. 11-4211(DMC)(MF) (the "Consolidated Actions"). All future filings applicable to any of the Consolidated Actions shall be made in Civil Action 11-4211(DMC)(MF).

2. All future filings in the Consolidated Actions shall use the following caption:

IN RE:

MEDCO/EXPRESS SCRIPTS MERGER  
LITIGATION

Civil Action No. 11-4211(DMC)(MF)

3. Any civil actions filed in this District as "related actions" or raising the same or substantially similar claims shall also be consolidated with the foregoing actions. The Clerk shall provide a copy of this Order to counsel in any subsequently filed "related actions". Co-

Lead Counsel in the Consolidated Actions shall promptly notify the Court of actions that should be consolidated pursuant to this Order but not filed as a “related action.”

4. This Order shall be binding upon all future actions related to the subject matter of the Consolidated Actions filed in or transferred to this District.

5. Carella, Byrne, Cecchi, Olstein, Brody & Agnello, Grant & Eisenhofer P.A. and Bernstein Litowitz Berger & Grossmann LLP are hereby appointed as Interim Lead Counsel.

6. Motley Rice LLC, Pomerantz Haudek Grossman & Gross, Brower Piven, A Professional Corporation, and Barrack, Rodos & Bacine are hereby appointed as Plaintiffs’ Executive Committee.

7. Interim Lead Class, with the input and assistance of Plaintiffs’ Executive Committee, shall be responsible for coordinating the activities of Plaintiffs during pretrial proceedings and shall have the sole authority to:

- a. determine and present (in briefs, oral argument, or such other fashion as may be appropriate, personally or by a designee) to the Court and opposing parties the position of the Plaintiffs on all matters arising during pretrial proceedings;
- b. coordinate the initiation and conduct of discovery on behalf of Plaintiffs consistent with the requirements of the Federal Rules;
- c. coordinate with counsel for Plaintiffs in the parallel litigation pending in the Superior Court of New Jersey;
- d. conduct settlement negotiations on behalf of Plaintiffs and the putative class;
- e. delegate specific tasks to other counsel in a manner to ensure that pretrial preparation for the Plaintiffs is conducted efficiently and effectively;
- f. enter into stipulations with opposing counsel as necessary for the conduct of the litigation;
- g. monitor the activities of all counsel to ensure that schedules are met and unnecessary expenditures of time and funds are avoided;
- h. perform such other duties as may be incidental to the proper coordination of plaintiffs’ pretrial activities or authorized by further order of the court.

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MARK FALK, U.S.M.J.